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From: John Dervay <
Sent: Sunday, March 30, 2014 12:50 PM
To: Paul Wise
Cc:

Subject: Administration Order 14-009-W

I thank you for this Administration Order enforcing Consent Order 14-002-W. I would like to respond to the assertions expressed by Mr. Durham to you in his 18 March letter. For the record, this letter was sent to me by Charles Terreni, esq. a past functionary of the SC PSC.

Mr. Durham stated that they had utility line issues and that none of these lines had proper easements or were known to TCWS". In this area of Tega Cay, the Declarations of Convents and Restrictions (DCR) give utilities "over, under, around, and thru" easements. Thus there are no (proper) platted easements. When Utilities, Inc. bought the property in 1991, they did not do "due diligence" on the purchase. If they had, the DCR'S would have been known to them. If fact, they never had the property surveyed. Mr. Durham did not point out in his letter that this was a delay in this project as they did not know the boundaries of their property. Further, why did Utilities, Inc. NOT hire a wire/cable locator company prior to initiation of construction. If they had, the wire/cable issues would have been foreseen.

I'm surprised that Utilities, Inc did not contact the City of Tega Cay vis-a-vie the Duke Energy cable issue. The City has many Duke employees who could have been of help. So on March 18, the consent order extended date, they are asking help from DHEC in contacting Duke Energy. Clearly, Utilities, Inc. holds your Administration and Consent Orders in disdain.

I need to also point out that the PE hired by Utilities, Inc. is from Columbia, SC. Obviously, he was unaware of the DCR'S that any local PE would have been aware of.

This is just a simple example of the ineptitude of the people running Utilities, Inc., much less Corix, the parent company, and the contractors they hire. I don't think DHEC or the PSC should reward ineptitude .

John Dervay